REMARKS

Claims 33-60 remain in this application and currently stand Finally Rejected following the Official action mailed April 26, 2011. To better point out and claim what applicants regard as their invention and to better distinguish their claims from the art of record, applicants have amended claims 33, and 54-55. Amended claims 33 and 54 now recite the feature of weighting a macroblock found to have errors in accordance with a weighting used during weighted prediction decoding of a macroblock in the stream using at least one reference picture to yield a weighted prediction for concealing the at least one macroblock-found to have pixel errors. Applicants have amended claim 55 to recite a decoder having an error concealment parameter generator which makes use of reference picture of a different frame for establishing a weighting for concealing the macroblock. Ample antecedent basis exists in applicants' specification and drawings for such amendments.

35 U.S.C. § 102(b) of Claims 33-39, 43-57, 50-51 53-57 and 59-60

Claims 33-39, 43-57, 50-51 53-57 and 59-60 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent 7,606,313 to Arvind Raman et al, (hereinafter, "the Raman et al. patent"). The examiner contends that the Raman et al. teaches applicants' weighted prediction for error concealment based on the weighted prediction decoding, therefore anticipating applicants' claims. Applicants respectfully disagree especially in view of applicants' requested claim amendments.

Applicants submit that the Raman et al. patent teaches weighted error concealment. However, the weighted error concealment disclosed by Raman et al. does make use of the same weighting as used during weighted prediction decoding of macroblocks in the stream. In this regard, Raman et al. does not teach or suggest applicants' newly recited feature of:

> weighting the at least one macroblock in accordance with a weighting used
> during weighted prediction decoding of a macroblock in the stream using at least
> one reference picture to yield a weighted prediction for concealing the at least
> one macroblock-found to have pixel errors.

Indeed, Raman et al. say nothing concerning weighted prediction decoding of a macroblock as now recited in amended claims 33 and 54. Moreover, Raman says nothing about making use of a reference picture of a different frame (inter-prediction coding) as recited in claim 55.

As discussed in applicants' prior response, Raman teaches a concealment technique which makes use of an estimated sum inversely weighted in accordance with distance between the pixel being estimated, and the pixel used for estimation. (See Col. 4, lines 43-50 of Raman et al.). Alternatively, Raman et al. weighs the pixels as a function of pixels in an undamaged portion of the macroblock. (See Col. 8, lines 48-58 of Raman et al.)

Neither of the above-cited portions of Raman et al. relied upon by the examiner, or any other portion of the Raman et al. patent teaches weighing the macroblock for error concealment **in accordance with a weighting used during weighted prediction decoding of a macroblock**. With regard to claim 55 and the claims that depend therefrom, Raman does not disclose use of a reference picture from another frame for decoding. On this basis, applicants contend that Raman et al. cannot anticipate applicants' amended claims 33-39, 43-57, 50-51 53-57 and 59-60

35 U.S.C. § 103(a) Rejection of Claims 40-42, 48-49, 52, and 58

Claims 40-42, 48-49, 52, and 58 stand rejected under 35 U.S.C. § 103(a) as obvious over the Raman et al. patent, as discussed above, in view of US Published Application 20030215014 in the Shinichiro Koto et al. Applicants respectfully traverse the rejection in view of the amendments to claims 33 and 55.

Claims 40-42 and 48-49 and 52 depend from newly amended claim 33 and incorporate by reference all of the features thereof, including the feature of:

> weighting the at least one macroblock in accordance with a weighting used during weighted prediction decoding of a macroblock using at least one reference picture to yield a weighted prediction for concealing the at least one macroblock found to have pixel errors.

Claim 58 depends from newly amended claim 55 and incorporate by reference all of the features thereof, including the feature of:

> an error concealment parameter generator for generating values for weighting at least one macroblock from a reference picture of a different frame using one of a first and second weighting modes in accordance with the decoding of the macroblocks for concealing a macroblock found to have pixel errors

Thus, claim 58 includes the feature of weighing the macroblock from a reference picture of a different frame.

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As discussed above with respect to the 35 U.S.C. § 102(b) rejection of claims 33-39, 43-57, 50-51 53-57 and 59-60, the Raman et al. patent says nothing regarding weighting the at least one macroblock in accordance with a weighting used during weighted prediction decoding of a macroblock. The Koto et al. published application does nothing to cure this deficiency of Raman et al. At best, the Koto et al. published application concerns a video encoding method that extracts a reference macroblock from a plurality of frames to generate reference blocks which are weighted and summed to yield a predictive macroblock.

Applicants' acknowledge the teaching in Koto et al. of weighted predictive decoding, which is well known in the art. However, Koto et al. says nothing about error concealment, and thus, would not provide the missing teaching in Raman et al. regarding weighting the at least one macroblock in accordance with a weighting used during weighted prediction decoding of a macroblock. The complete failure of Koto et al. regarding any mention of error concealment would certainly not lead a skilled artisan to conceive of the examiner's proposed combination of Raman et al. and Koto et al. For this reason as well, applicants' claims 40-42 and 48-49, 52, and 58 patentably distinguish over the art of record. Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejection of these claims.

Conclusion

In view of the foregoing, applicants solicit entry of this amendment and allowance of the claims. If the Examiner cannot take such action, the Examiner should contact the applicant's attorney at (609) 734-6820 to arrange a mutually convenient date and time for a telephonic interview.

No fees are believed due with regard to this Amendment. Please charge any fee or credit any overpayment to Deposit Account No. **07-0832.**

Respectfully submitted,
Peng Yin et al.

By: /Robert B. Levy/
        Robert B. Levy
        Attorney for Applicants
        Reg. No. 28,234
        Phone (609) 734-6820

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Thomson Licensing LLC

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Princeton, New Jersey 08543-5312
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